

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
Veronique FERRARI	)	Group Art Unit: 1611
Application No.: 10/502,447	)	Examiner: Christopher M. POCHAS
Filed: March 7, 2005	)	Confirmation No.: 3679
For: COMPOSITION CONTAINING A	)	<b>VIA EFS WEB</b>
SEMI-CRYSTALLINE POLYMER AND	)	
A VOLATILE OIL	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Office the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications, as well as the Office Action from the co-pending application, are not enclosed.

Applicant respectfully requests that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicant makes the following remarks:

1. **DE 195 23 478:** An English language Derwent abstract of this document accompanies this disclosure.
2. **DE 195 24 210:** An English language Derwent abstract of this document accompanies this disclosure.
3. **EP 0 305 756:** This document is believed to be related to U.S. Patent No. 5,411,739, which is listed on the accompanying PTO SB/08 form.
4. **EP 0 534 823:** This document is believed to be related to U.S. Patent Nos. 6,319,508 and 6,572,870, which are listed on the accompanying PTO SB/08 form.
5. **EP 0 566 442:** An English language Derwent abstract of this document accompanies this disclosure.
6. **EP 0 667 146:** This document is believed to be related to U.S. Patent Nos. 6,120,781 and 6,132,742, which are listed on the accompanying PTO SB/08 form.
7. **EP 0 749 746:** This document is believed to be related to U.S. Patent No. 5,945,095, which is listed on the accompanying PTO SB/08 form.
8. **EP 0 749 747:** This document is believed to be related to U.S. Patent No. 5,851,517, which is listed on the accompanying PTO SB/08 form.
9. **EP 0 873 748:** An English language Derwent abstract of this document accompanies this disclosure.
10. **EP 0 943 310:** An English language Derwent abstract of this document accompanies this disclosure.
11. **EP 0 955 039:** This document is believed to be related to U.S. Patent No. 6,491,927, which is listed on the accompanying PTO SB/08 form.

12. **EP 0 979 642:** An English language Derwent abstract of this document accompanies this disclosure.
13. **EP 0 993 824:** An English language Derwent abstract of this document accompanies this disclosure.
14. **EP 1 002 528:** This document is believed to be related to U.S. Published Application No. 2004/0137028, which is listed on the accompanying PTO SB/08 form.
15. **EP 1 332 753:** This document is believed to be related to U.S. Published Application No. 2003/0165451, which is listed on the accompanying PTO SB/08 form.
16. **FR 2 232 303:** This document is believed to be related to U.S. Patent No. 3,937,811, which is listed on the accompanying PTO SB/08 form.
17. **FR 2 710 646:** This document is believed to be related to U.S. Patent No. 5,711,940, which is listed on the accompanying PTO SB/08 form.
18. **FR 2 771 927:** An English language Derwent abstract of this document accompanies this disclosure.
19. **FR 2 782 917:** An English language Derwent abstract of this document accompanies this disclosure.
20. **FR 2 824 264:** This document is believed to be related to U.S. Patent No. 6,949,504, which is listed on the accompanying PTO SB/08 form.
21. **FR 2 842 417:** This document is believed to be related to U.S. Published Application No. 2004/0241118, which is listed on the accompanying PTO SB/08 form.
22. **JP 1-233206:** An English language Derwent abstract of this document accompanies this disclosure.

23. **JP 61-236716:** An English language Derwent abstract of this document accompanies this disclosure.
24. **JP 9-503785:** This document is believed to be related to U.S. Patent No. 5,843,407, which is listed on the accompanying PTO SB/08 form.
25. **SU 829112:** An English language Derwent abstract of this document accompanies this disclosure.
26. **WO 93/01797:** This document is believed to be related to U.S. Patent No. 5,519,063, which is listed on the accompanying PTO SB/08 form.
27. **WO 95/15741:** This document is believed to be related to U.S. Patent No. 5,866,149, which is listed on the accompanying PTO SB/08 form.
28. **WO 02/39961:** This document is believed to be related to U.S. Published Application No. 2002/0164297, which is listed on the accompanying PTO SB/08 form.
29. **French Search Report for FR 04/06173:** This is the French Search Report for the French counterpart to U.S. Application No. 11/147,236.

With respect to certain non-patent literature documents listed on the concurrently filed PTO Form SB/08, Applicant submits the following remarks.

30. **Matsuda, et al., "Solid-Liquid Separation Phenomenon on the Surface of an Oil," Wax and Pigments Mixture (I) a Binary Oil-Wax System," Shikizai, vol. 57 (3), pp. 1-13 (1984):** This document was cited in U.S. Patent No. 5,843,407. Despite a good faith effort, Applicant's representatives have been unable to obtain a copy of this document to date. Applicant's representative believes the Examiner should have access to this document via the PTO records system.
31. **Material Data Safety Sheet, Rheox, Inc., pp. 5-7, 9-11 (1992):** This document was cited in U.S. Patent No. 5,843,407. Despite a good faith effort, Applicant's

representatives have been unable to obtain a copy of this document to date.

Applicant's representative believes the Examiner should have access to this document via the PTO records system.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any additional fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 24, 2009

By: 

Nikolas J. Uhler  
Reg. No. 62,201